

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:	CASE NO.: 12-07143-ESL
MARIA DEL PILAR RODRIGUEZ LOPEZ	CHAPTER-13-
DEBTOR(S)	

MOTION UNDER SECTION 1329 AND TO
AMEND ORDER UNDER RULE 9023

TO THE HONORABLE COURT:

COMES NOW DEBTOR through the undersigned attorney and to this Honorable Court respectfully states and prays as follows:

1. Debtor(s) filed a voluntary petition (chapter 13) which payment plan was confirmed.
2. Debtor(s) is/are hereby requesting to be allowed to modify his/her/their confirmed payment plan to PROVIDE FUNDS FOR POST PETITION ARREARS WITH REO PROPERTIES/OPERATING PARTNERS.
3. Debtor(s) request to be allowed to modify his/her/their confirmed payment plan.
4. With the modified payment plan unsecured creditors will still receive more than they would under a Chapter 7 Liquidation.

WHEREFORE it is respectfully requested to this Honorable Court that the request for modification of the payment plan be accepted and that Debtors be allowed to continue making his payments as stated in the modified payment plan and the Order of Confirmation be altered in such fashion as to allow the same and any further relief as is just.

NOTICE IS HEREBY GIVEN TO PARTIES IN INTEREST THAT THEY HAVE TWENTYONE (21) DAYS TO OBJECT THE PROPOSED MODIFICATION OF THE CHAPTER 13 PLAN AND REQUEST A HEARING. ABSENT GOOD CAUSE UNTIMELY OBJECTIONS SHALL BE DENIED.

CERTIFICATE OF SERVICE: I hereby certify that the foregoing motion has been filed with the Clerk of the court using the CM/ECF system that will electronically notify parties in interest and to Chapter 13, Trustee Alejandro Oliveras, US Trustee Office. Non CM/ECF participants that are interested parties will be notified by regular US Postal Service.

In Cayey, Puerto Rico, this April 17, 2013.

/s/Miriam A. Murphy Lightbourn
MIRIAM A. MURPHY LIGHTBOURN
PO BOX 372519
CAYEY, PR 00737
TEL.: 787-263-2377; (787)738-0404
FAX: 787-738-4667

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE: MARIA DEL PILAR RODRIGUEZ LOPEZ

BK. CASE # 12-07143-E

DEBTOR(S)

CHAPTER 13

CHAPTER 13 PAYMENT PLAN

NOTICE: • The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney. When confirmed, the plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the Court and served upon the debtor(s), debtors' counsel, the Trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than twenty (20) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections must be filed and notified in the same manner within twenty (20) days from its notification. • **This plan does not allow claims. Any party entitled to receive disbursements from the Trustee must file a proof of claim. The Trustee will not pay the allowed claims, as filed, provided for in the plan, unless disallowed or expressly modified by the Court and for the terms of the plan. If no claim is filed, the Trustee will not pay a creditor provided for in the plan, unless ordered by the Court. If the Trustee is to make POST-PETITION REGULAR MONTHLY PAYMENTS to any Secured obligation, then a proof of claim must be filed including the following information: account number, address, due date and regular monthly payment. Secured creditor must notify any change in the monthly payment, three (3) months prior to the effective date of new payment. Those post-petition monthly payments will not exceed the life of the plan. • See the notice of commencement of case for 341 meeting date and claim bar date, the latter is the date by which a proof of claim must be filed in order to participate of the plan distribution.**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee: ☐ directly ☐ by payroll deductions, as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.
3. The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

PLAN DATED:

☐ PRE ☒ POST-CONFIRMATION☒ AMENDED PLAN DATED: April 8, 2013FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ UNSECURED CREDITOR

I. PAYMENT PLAN SCHEDULE

\$ 300 x 36 = \$ 10,800

\$ x = \$ 0

\$ x = \$ 0

\$ x = \$ 0

\$ x = \$ 0

TOTAL = 36 \$ 10,800

Additional Payments:

\$ 31,000 to be paid as a LUMP SUM within 36 with proceeds to come from

☐ Sale of property identified as follows:

☒ Other: REVERSE MORTGAGE TO BE MADE UPON OBTAINING JUDICIAL AUTHORIZATION FOR FATHER'S CONSENT (Judicial Tutorship)

Periodic Payments to be made other than and in addition to the above:

\$ x = \$ 0

To be made on:

PROPOSED PLAN BASE: \$ 41,800

II. ATTORNEY'S FEES

To be treated as a § 507 Priority, and paid before any other creditor and concurrently with the Trustee's fees, unless otherwise provided:

a. Rule 2016(b) Statement: \$ 3,000

b. Fees Paid (Pre-Petition): (\$ 1,659)

c. R 2016 Outstanding balance: \$ 1,311

d. Post Petition Additional Fees: \$ 350

e. Total Compensation: \$ 3,350

Signed: *Maria Rodriguez Lopez*
DEBTOR MARIA DEL PILAR RODRIGUEZ LOPEZ

JOINT DEBTOR

III. DISBURSEMENT SCHEDULE SEQUENCE

A. SECURED CLAIMS: ☐ Debtor represents that there are no secured claims.

☐ Secured creditors will retain their liens and shall be paid as follows:

☐ ADEQUATE PROTECTION Payments: Cr. \$

☐ Trustee will pay secured ARREARS:

Cr. REO PROPERTIES

Acct. 9260

\$ 30,400

PRE-PET

☐ Trustee will pay REGULAR MONTHLY PAYMENTS:

(please refer to the above related notice, for important information about this provision)

Cr.

Acct.

Monthly Pymt.\$

Cr.

Acct.

Monthly Pymt.\$

Cr.

Acct.

Monthly Pymt.\$

☐ Trustee will pay IN FULL Secured Claims:

Cr.

\$

Cr.

\$

Cr.

\$

☐ Trustee will pay VALUE OF COLLATERAL:

Cr.

\$

Cr.

\$

Cr.

\$

☐ Secured Creditor's interest will be insured. INSURANCE POLICY will be paid through plan:

Cr. Ins. Co. Premium: \$

(Please indicate in "Other Provisions" the insurance coverage period)

☐ Debtor SURRENDERS COLLATERAL TO Lien Holder:

☒ Debtor will maintain REGULAR PAYMENTS DIRECTLY to:

REO PROPERTIES/OPERATING PARTNERS

B. PRIORITIES. The Trustee will pay §507 priorities in accordance with the law [§1322 (a)(2)].

C. UNSECURED PREFERRED: Plan ☐ Classifies ☒ Does not Classify Claims.

☐ Class A: ☐ Co-debtor Claims

☐ Class B: ☐ Other Class:

☐ Cr.

\$

☐ Pay 100% / ☐ "Pay Ahead":

☐ Cr.

\$

☐ Cr.

\$

D. GENERAL UNSECURED NOT PREFERRED: (Case Liquidation Value = \$)

☐ Will be paid 100% plus % legal interest. ☐ Will be paid Pro-Rata from any remaining funds

OTHER PROVISIONS:

TAX REFUNDS WILL BE DEVOTED EACH YEAR, AS PERIODIC PAYMENTS, TO THE PLAN'S FUNDING UNTIL PLAN COMPLETION. DEBTOR SHALL SEEK COURT'S AUTHORIZATION PRIOR ANY USE OF FUNDS.

ATTORNEY FOR DEBTOR: MIRIAM A. MURPHY LIGHTBOURN

Phone: (787) 263-2377